



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
Silver Spring, MD 20910

## **NMFS Announces a Proposed Rule to Authorize Green-stick and Harpoon Gear in the Atlantic Tunas Fishery and to Require a Sea Turtle Control Device in Pelagic and Bottom Longline Fisheries**

The National Marine Fisheries Service (NMFS) proposes to authorize green-stick gear for harvest of Atlantic tunas, including bluefin tuna (BFT), in the Atlantic Tunas General, Highly Migratory Species (HMS) Charter/Headboat (CHB), and Atlantic Tunas Longline categories; authorize harpoon use for harvest of Atlantic tunas, including BFT, in the HMS CHB permit category on non-for-hire trips; and require possession and use of a sea turtle control device in pelagic longline (PLL) and bottom longline (BLL) fisheries. Public requests for authorization of the fishing gears led NMFS to analyze and consider their use. NMFS subsequently determined that use of these gears would allow efficient harvest of Atlantic tunas with low bycatch and bycatch mortality. The purpose of this proposed rule is to provide additional opportunities for fishermen to harvest Atlantic tunas within quotas, size limits, or other established limitations and to distinguish green-stick fishing gear from current definitions of other authorized gear types. The rule regarding harpoon use is also intended to provide consistency in the regulations regarding authorized handgear used historically for commercial harvest of BFT. NMFS intends with this proposed rule to allow harvest of Atlantic tunas with gears that are generally efficient in harvesting target species and low in bycatch and bycatch mortality. This rulemaking is also conducted to achieve and maintain low post-release mortality of sea turtles consistent with the 2004 Biological Opinion (BiOp) for the PLL fishery and to increase safety at sea for fishermen when handling sea turtles caught or entangled in longline fishing gear.

The comment period for this proposed rule is open until June 16, 2008. Written comments may be submitted to the address below and electronic comments may be submitted via the Federal eRulemaking Portal <http://www.regulations.gov> (please identify your comments with "0648-AV92." Public hearings will be held at the following times and locations:

1. May 27, 2008, 6 - 8 p.m., National Marine Fisheries Service Southeast Regional Office, 263 13th Avenue South, Saint Petersburg, FL 33701
2. May 29, 2008, 7 - 9 p.m., Roanoke Island Festival Park, 1 Festival Park, Manteo, NC 27954
3. June 2, 2008, 6 - 8 p.m., Ocean County Library, Stafford Branch, 129 N. Main Street, Manahawkin, NJ 08050
4. June 4, 2008, 3:30 - 5:30 p.m., National Marine Fisheries Service Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930
5. June 4, 2008, 6 - 8 p.m., Plaquemines Parish Government Community Center, Belle Chasse Auditorium, 8398 Hwy. 23, Belle Chasse, LA 70037
6. June 12, 2008, 7 - 9 p.m., Renaissance Orlando Hotel Airport, 5445 Forbes Place, Orlando, FL 32812

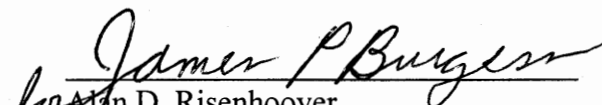


This notice is a courtesy to the HMS fishery participants to help keep you informed about your fishery. Official notice of Federal fishing actions is made through filing such notice with the Office of Federal Register. For further information, contact Randy Blankinship at (727) 824-5399 or Sarah McLaughlin at (978) 281-9260. Copies of the proposed rule and draft Environmental Assessment/Regulatory Impact Review/Initial Regulatory Flexibility Analysis are available upon request from the HMS Management Division, 1315 East-West Highway, Silver Spring, MD 20910 (phone: 301-713-2347, fax: 301-713-1917). The information may also be found at: <http://www.nmfs.noaa.gov/sfa/hms/>.

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James D. Risenhoover  
Director, Office of Sustainable Fisheries

**MAY - 6 2008**

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Date